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## NOTICE OF ALLOWANCE AND FEE(S) DUE

66701 7590 11/09/2009

RED HAT/BSTZ  
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040

EXAMINER

NGUYEN, THUONG

ART UNIT

PAPER NUMBER

2455

DATE MAILED: 11/09/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/600,472

06/19/2003

Lance Peterson

005220.P006

6337

TITLE OF INVENTION: METHOD OF MODIFYING A CHECKSUITE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	02/09/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
Commissioner for Patents  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

66701 7590 11/09/2009

**RED HAT/BSTZ**  
**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**  
**1279 OAKMEAD PARKWAY**  
**SUNNYVALE, CA 94085-4040**

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,472	06/19/2003	Lance Peterson	005220.P006	6337

TITLE OF INVENTION: METHOD OF MODIFYING A CHECKSUITE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	02/09/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, THUONG	2455	709-223000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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RED HAT/BSTZ  
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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1004 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1004 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/600,472	PETERSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thuong T. Nguyen	2455	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/7/09.
2. ☒ The allowed claim(s) is/are 1-4, 7-9, 12-14, 17-20, 23-25, 28-30, 33-38, 57-63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

***Examiner's Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Applicant's Representative, Benjamin Kimes, (Reg. No. 50,870), on 10/29/09.

3. The application has been amended as follow:

4. In the claims:

5. Claims 1, 17, 33 & 57 are amended as following:

1. (Currently Amended) A method of monitoring a computer network, comprising:

receiving, by a server computer, commands identifying a checksuite from a web browser, the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, wherein the checksuite includes first individual checks that ~~are configured to monitor parameters of a first operating system~~ and second individual checks that ~~are configured to monitor parameters of a second operating system that is different from the first operating system~~, and wherein the first individual checks ~~[[can]]~~ monitor the parameters of the first operating system concurrent to the second individual checks monitoring the parameters of the second operating system;

selecting, by the server computer, the checksuite based on the commands, wherein an original version of the checksuite having been deployed to two or more

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previously selected machines having different operating systems, and wherein subsequent to being deployed to the two or more previously selected machines, the checksuite was customized for a first machine of the two or more previously selected machines, a customized version of the checksuite having one or more customizations, the customizations corresponding to checks that differ from checks in the original version of the checksuite;

receiving, by the server computer, additional commands for editing the checksuite from the web browser;

editing, by the server computer, the checksuite based on the additional commands, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite; and

simultaneously deploying the edited checksuite to the first machine, which includes the first operating system, and a second machine that includes the second operating system, wherein the first machine and the second machine, respectively, are each one of the two or more previously selected machines or one or more additional machines, and wherein deploying the edited checksuite to the first machine preserves the one or more customizations.

2. (Previously Presented) The method of Claim 1, wherein editing the checksuite further comprises:

adding one or more new individual checks to the checksuite; and

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deploying the edited checksuite to the two or more previously selected machines,  
the deploying comprising:

deploying the one or more new individual checks to the two or more  
previously selected machines.

3. (Previously Presented) The method of Claim 2, further comprising:

selecting the one or more additional machines to receive the edited checksuite;  
and

deploying the edited checksuite to the newly selected machines.

4. (Previously Presented) The method of Claim 2, further comprising:

de-selecting at least one of the two or more machines previously selected; and  
removing the edited checksuite from the deselected machines.

5. (Canceled)

6. (Canceled)

7. (Previously Presented) The method of Claim 1, wherein editing the checksuite  
further comprises:

removing one or more individual checks from the checksuite; and

deploying the edited checksuite to the two or more previously selected machines,  
the deploying comprising:

deleting the removed individual check from the two or more previously  
selected machines.

8. (Previously Presented) The method of claim 7, further comprising:

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selecting the one or more additional machines to receive the edited checksuite;  
and

deploying the edited checksuite to the newly selected machines.

9. (Previously Presented) The method of claim 7, further comprising:

de-selecting at least one of the two or more machines previously selected; and  
deleting the edited checksuite from the de-selected machines.

10. (Canceled)

11. (Canceled)

12. (Previously Presented) The method of claim 1, wherein editing the checksuite  
further comprises:

modifying one or more individual checks within the checksuite; and  
deploying the edited checksuite to the two or more previously selected machines,  
the deploying comprising:

deploying the modified individual check to the two or more previously  
selected machines.

13. (Previously Presented) The method of claim 12, further comprising:

selecting the one or more additional machines to receive the edited checksuite;  
and

deploying the edited checksuite to the newly selected machines.

14. (Previously Presented) The method of claim 12, further comprising:

de-selecting at least one of the two or more machines previously selected; and  
removing the edited checksuite from the de-selected machines.



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15. (Canceled)

16. (Canceled)

17. (Currently Amended) A machine-readable medium including program code, which when executed by a processor causes the processor to perform the following:

receiving, by a server computer, commands identifying a checksuite from a web browser, the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, wherein the checksuite includes first individual checks that ~~are configured to~~ monitor parameters of a first operating system and second individual checks that ~~are configured to~~ monitor parameters of a second operating system that is different from the first operating system, and wherein the first individual checks ~~[[can]]~~ monitor the parameters of the first operating system concurrent to the second individual checks monitoring the parameters of the second operating system;

selecting, by the server computer, the checksuite based on the commands, wherein an original version of the checksuite having been deployed to two or more previously selected machines having different operating systems, and wherein subsequent to being deployed to the two or more previously selected machines, the checksuite was customized for a first machine of the two or more previously selected machines, a customized version of the checksuite having one or more customizations, the customizations corresponding to checks that differ from checks in the original version of the checksuite;

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receiving, by the server computer, additional commands for editing the checksuite from the web browser;

editing, by the server computer, the checksuite based on the additional commands, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite; and

simultaneously deploying the edited checksuite to the first machine, which includes the first operating system, and a second machine that includes the second operating system, wherein the first machine and the second machine, respectively, are each one of the two or more previously selected machines or one or more additional machines, and wherein deploying the edited checksuite to the first machine preserves the one or more customizations.

18. (Previously Presented) The machine-readable medium of claim 17, which causes the processor to further perform:

adding one or more individual checks to the checksuite; and

deploying the edited checksuite to the two or more previously selected machines.

19. (Previously Presented) The machine-readable medium of claim 18, which causes the processor to further perform:

selecting the one or more additional machines to receive the edited checksuite; and

deploying the edited checksuite to the newly selected machines.

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20. (Previously Presented) The machine-readable medium of claim 18, which causes the processor to further perform:

de-selecting at least one of the two or more machines previously selected; and  
removing the edited checksuite from the de-selected machines.

21. (Canceled)

22. (Canceled)

23. (Previously Presented) The machine-readable medium of claim 17, which causes the processor to further perform:

deleting one or more individual checks from the checksuite; and  
deploying the edited checksuite to the two or more previously selected machines.

24. (Previously Presented) The machine-readable medium of claim 23, which causes the processor to further perform:

selecting the one or more additional machines to receive the edited checksuite;  
and  
deploying the edited checksuite to the newly selected machines.

25. (Previously Presented) The machine-readable medium of claim 23, which causes the processor to further perform:

de-selecting at least one of the two of more machines previously selected; and  
removing the edited checksuite from the de-selected machines.

26. (Canceled)

27. (Canceled)

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28. (Previously Presented) The machine-readable medium of claim 17, which causes the processor to further perform:

modifying one or more individual checks within the checksuite; and

deploying the edited checksuite to the two or more previously selected machines.

29. (Previously Presented) The machine-readable medium of claim 28, which causes the processor to further perform:

selecting the one or more additional machines to receive the edited checksuite;

and

deploying the edited checksuite to the newly selected machines.

30. (Previously Presented) The machine-readable medium of claim 28, which causes the processor to further perform:

de-selecting at least one of the two or more machines previously selected; and

removing the edited checksuite from the de-selected machines.

31. (Canceled)

32. (Canceled)

33. (Currently Amended) A method comprising:

receiving, by a server computer, a request to select a checksuite for editing from a web browser, the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, wherein the checksuite includes first individual checks that are configured to monitor parameters of a first operating system and second individual checks that are configured to monitor parameters of a second operating

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system that is different from the first operating system, and wherein the first individual checks ~~[[can]]~~ monitor the parameters of the first operating system concurrent to the second individual checks monitoring the parameters of the second operating system;

selecting, by the server computer, the requested checksuite, wherein an original version of the checksuite having been deployed to two or more previously selected machines, and wherein subsequent to being deployed, the checksuite was customized for a first machine of the two or more previously selected machines, a customized version of the checksuite having one or more customizations, the customizations corresponding to checks that differ from checks in the original version of the checksuite;

editing the checksuite based on commands received from the web browser, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite; and

deploying the edited checksuite to the first machine, which includes the first operating system, and to a second machine that includes the second operating system, wherein the first machine and the second machine, respectively, are each one of the two or more previously selected machines or one or more additional machines, and wherein deploying the edited checksuite to the first machine preserves the one or more customizations.

34. (Original) The method of claim 33, wherein editing the checksuite further comprises:

receiving changes made to the selected checksuite;

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receiving a request to save the changes made to the selected checksuite; and  
saving the changes made to the selected checksuite.

35. (Previously Presented) The method of claim 33, wherein editing the checksuite further comprises:

receiving new individual checks;  
adding the new individual checks to the selected checksuite;  
saving the selected checksuite as modified; and  
deploying the modified checksuite to the two or more previously selected machines.

36. (Previously Presented) The method of claim 33, wherein editing the checksuite further comprises:

receiving a request to select one or more of the individual checks;  
selecting the requested one or more individual checks;  
receiving a request to delete the selected one or more individual checks;  
deleting the selected one or more individual checks;  
receiving a request to save the checksuite as modified;  
saving the modified checksuite; and  
deploying the modified checksuite to the two or more machines previously selected.

37. (Original) The method of claim 33, wherein editing the checksuite further comprises:

receiving a request to select one or more individual checks within the checksuite;

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selecting the one or more requested individual checks;  
receiving a modification of at least one parameter of the one or more selected individual checks;

receiving a request to save the one or more individual checks as modified; and  
saving the one or more modified individual checks.

38. (Previously Presented) The method of claim 37, further comprising:

receiving a request to deploy the checksuite containing the one or more modified individual checks to the two or more previously selected machines; and

deploying the checksuite containing the one or more modified individual checks to the one or more previously selected machines.

39. (Canceled)

40. (Canceled)

41. – 56. (Canceled)

57. (Currently Amended) An apparatus, comprising:

a memory to store instructions; and

a processor, coupled to the memory, to execute the instructions, the instructions causing the processor:

to receive commands identifying a checksuite from a web browser,  
wherein the checksuite includes one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, wherein the checksuite includes first individual checks that ~~are configured to~~ monitor parameters of a first operating system and

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second individual checks that ~~are configured to~~ monitor parameters of a second operating system that is different from the first operating system, and wherein the first individual checks ~~[[can]]~~ monitor the parameters of the first operating system concurrent to the second individual checks monitoring the parameters of the second operating system,

to select the identified checksuite, wherein an original version of the checksuite having been deployed to two or more previously selected machines having different operating systems, and wherein subsequent to being deployed to the two or more previously selected machines, the checksuite was customized for a first machine of the two or more previously selected machines, a customized version of the checksuite having one or more customizations, the customizations corresponding to checks that differ from checks in the original version of the checksuite,

to edit the checksuite based on the commands received from the web browser, the editing including at least one of removing an existing individual check from the checksuite, modifying the existing individual check, or adding a new individual check to the checksuite, and

to simultaneously deploy the edited checksuite to the first machine, which includes the first operating system, and to a second machine that includes the second operating system, wherein the first machine and the second machine, respectively, are each one of the two or more previously selected machines or



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one or more additional machines, and wherein deploying the edited checksuite to the first machine preserves the one or more customizations.

58. (Previously presented) An apparatus as in Claim 57, wherein the instructions cause the processor to edit the checksuite by performing at least one of adding one or more new individual checks to the checksuite, deleting one or more individual checks from the checksuite, or modifying one or more individual checks within the checksuite.

59. (Previously Presented) An apparatus as in Claim 58, wherein the instructions further cause the processor to select the one or more additional machines to receive the edited checksuite, and to deploy the edited checksuite to the newly selected machines.

60. (Previously Presented) An apparatus as in Claim 58, wherein the instructions further cause the processor to de-select at least one of the two or more machines previously selected, and to remove the edited checksuite from the deselected machines.

61. (Previously presented) An apparatus as claimed in claim 57, wherein the instructions further cause the processor to receive a command to select the checksuite, and to receive a command to edit the checksuite.

62. (Previously Presented) The method of claim 1, wherein the customizations include at least one of a threshold reporting level and a type of notification to be activated when a problem is detected.

63. (Previously Presented) The method of claim 1, wherein the customizations include a specific type of monitoring to be performed, the specific type of monitoring being one of a continuous monitoring or a periodic monitoring.

***REASONS FOR ALLOWANCE***

6. Claims 1-4, 7-9, 12-14, 17-20, 23-25, 28-30, 33-38 & 57-63 are allowed.
7. Claims 5-6, 10-11, 15-16, 21-22, 26-27, 31-32 & 39-56 are canceled.
8. The following is an examiner's statement of reasons for allowance:

In interpreting the claims, in light of the specification and the applicant's arguments filed on 10/7/09, the Examiner finds the claimed invention to be patentably distinct from the prior art of record.

9. Moulden JR. et al. (US 2006/0206870 A1), teach integrated computer testing and task management systems wherein the checksuit including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system (abstract; figure 9 & 29; figure 15-16; page 3, paragraph 47).

10. Caswell et al. (US 5,964,891), teach diagnostic system for a distributed data access networked system, wherein receiving, by a server computer, commands identifying a checksuite from a web browser (abstract; figure 4-5, 10 & 12; col 7, lines 20 – col 8, lines 68).

11. Jorapur et al. (US 2003/0204784 A1), teach system and method for automatic test case generation, wherein selecting, by the server computer, a checksuite based on the commands wherein received from a web an original version the checksuite having been applied to two or more previously selected (abstract; page , paragraph 7 & 9-10; page 2, paragraph 11-13 & 22).

12. The following is an examiner's statement of reasons for allowance.

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The examiner has found that the prior art of record does not appear to teach or suggest or render obvious the claimed limitations in combination with the specific added limitations as recited in independent claims 1, 17, 33 & 57 and subsequent dependent claims. The prior art of record fails to teach or suggest individually or in combination that receiving, by a server computer, commands identifying a checksuite from a web browser, the checksuite including one or more individual checks, each check being configured to monitor a parameter of an operating system or a software program that runs on an operating system, wherein the checksuite includes first individual checks that monitor parameters of a first operating system and second individual checks that monitor parameters of a second operating system that is different from the first operating system, and wherein the first individual checks monitor the parameters of the first operating system concurrent to the second individual checks monitoring the parameters of the second operating system and simultaneously deploying the edited checksuite to the first machine, which includes the first operating system, and a second machine that includes the second operating system, wherein the first machine and the second machine, respectively, are each one of the two or more previously selected machines or one or more additional machines, and wherein deploying the edited checksuite to the first machine preserves the one or more customizations as set forth in independent claims 1, 17, 33 & 57. Claims 1-4, 7-9, 12-14, 17-20, 23-25, 28-30, 33-38, 57-63 are allowed because of the combination of other limitations and the limitation listed above.

The examiner finds the Applicant's argument on pages 13 of the Remarks filed on 10/7/09 to be persuasive. The applicant argued in substance that the combination of prior art of records fail to disclose the features of the invention Moulden, Caswell and Jorapur failed to teach or suggest a checksuite that has been deployed to multiple different operating systems concurrently (see Remark, page 13 and see Specification, page 10-11, lines with reference to figure 3).

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina Nguyen whose telephone number is 571-272-3864, and the fax number is 571-273-3864. The examiner can normally be reached on 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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